

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JIMMY GETTINGS,

Plaintiff(s),

v.

CEBU PACIFIC, et al.,

Defendant(s).

Case No. 2:15-CV-767 JCM (CWH)

ORDER

Presently before the court is Magistrate Judge Hoffman's report and recommendation ("R&R"). (ECF No. 4). No objections have been filed, and the deadline for filing objections has now passed.

Plaintiff Jimmy Gettings was ordered to pay a filing fee within thirty (30) days after his application to proceed *in forma pauperis* was denied. (ECF No. 3). The deadline for paying the filing fee has since passed.

Magistrate Judge Hoffman cautioned plaintiff that failure to comply with the court's order to pay the filing fee would result in a recommendation to dismiss the underlying action. (ECF No. 2). Accordingly, because plaintiff has failed to comply, the magistrate recommends that the case be dismissed without prejudice. (ECF No. 4).

This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a de novo determination of those portions of the [report and recommendation] to which objection is made." 28 U.S.C. § 636(b)(1).

